

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

WEIL AVENUE ASSOCIATES, L.P.,)	
)	
Plaintiff,)	
)	
v.)	No. 4:07-CV-1675 CAS
)	
LIBERTY MUTUAL GROUP, INC., et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court on review of the file. The Eighth Circuit has admonished district courts to “be attentive to a satisfaction of jurisdictional requirements in all cases.” Sanders v. Clemco Indus., 823 F.2d 214, 216 (8th Cir. 1987). Statutes conferring diversity jurisdiction are to be strictly construed. Sheehan v. Gustafson, 967 F.2d 1214, 1215 (8th Cir. 1992).

In C.T. Carden v. Arkoma Associates, 494 U.S. 185 (1990), the Supreme Court held that for diversity purposes, the citizenship of a limited partnership is the citizenship of each of its partners, both general and limited. Id. at 195-96. See Buckley v. Control Data Corp., 923 F.2d 96, 97 (8th Cir. 1991) (applying Carden).

In this case, the plaintiff is a limited partnership which has filed an action based on diversity jurisdiction.¹ Although the complaint states that plaintiff is a citizen of Missouri, it does not state the citizenship of each of plaintiff’s partners, general and limited. As such, the complaint does not adequately establish the existence of diversity jurisdiction. See Carden, 494 U.S. at 196-96; Rule


¹The Court notes that the complaint references both 28 U.S.C. § 1331 (federal question jurisdiction) as well as 28 U.S.C. § 1332 (diversity jurisdiction), but the complaint asserts only state law claims and there does not appear to be a basis for federal question jurisdiction.

8(a), Federal Rules of Civil Procedure (“A pleading which sets forth a claim for relief shall contain (1) a short and plain statement of the grounds upon which the court’s jurisdiction depends”); see also Sanders, 823 F.2d at 216 (discussing pleading requirements to establish diversity jurisdiction). Plaintiff will be ordered to file an amended complaint within ten days of the date of this order.

Accordingly,

IT IS HEREBY ORDERED that plaintiff shall file an amended complaint by **October 29, 2007**, which shall include statements regarding the citizenship of each of its partners, general and limited, including the state(s) in which any corporate partners are incorporated and have their principal place of business.

IT IS FURTHER ORDERED that in the event plaintiff does not timely comply with this Order, this case will be dismissed without prejudice for lack of subject matter jurisdiction.



CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 18th day of October, 2007.